

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:05CR238
Plaintiff,)	
)	
vs.)	ORDER
)	
VICENTE NUNGARAY-CALDERON,)	
)	
Defendant.)	

At the defendant's request, the arraignment on the indictment is scheduled before the undersigned magistrate judge at **10:00 a.m. on July 5, 2005**, in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. This being a criminal case, defendant must be present unless otherwise ordered by the court.

The ends of justice have been served by granting such request and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the request, i.e., **June 23, 2005 and July 5, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

IT IS SO ORDERED.

DATED this 23rd day of June, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge